

Application No.: 10/811,106

**REMARKS**

Claims 1-4 are pending in the application. Favorable reconsideration of the application, as amended, is respectfully requested.

Applicants have amended the title of the invention in the manner recommended by the Examiner.

***I. ALLOWABLE SUBJECT MATTER***

Applicants acknowledge with appreciation the allowance of claims 2-4.

***II. REJECTION OF CLAIM 1 UNDER 35 USC §112, 2<sup>ND</sup> ¶ / OBJECTION TO ABSTRACT***

Claim 1 stands rejected under 35 USC §112, second paragraph, as being indefinite. The Abstract is objected to on essentially the same basis. Applicants respectfully traverse the rejection/objection for at least the following reasons.

The Examiner submits that "the first surface" recited in line 22 of claim 1 lacks adequately clear antecedent basis. The Examiner questions whether the "first surface" is the same surface as the "ramp surface"? The Examiner objects to the abstract of the disclosure on the same basis.

Although applicants are not certain, it appears the Examiner may have overlooked the introduction of "a first surface" as recited in line 8 of claim 1. Accordingly, applicants respectfully submit that claim 1 does have proper antecedent basis for "the first surface" recited in line 22.

Furthermore, applicants respectfully submit that claim 1 is sufficiently clear in pointing out that the "first surface" and the "ramp surface" are not the same surface.

Application No.: 10/811,106

Claim 1 recites how the positioning member is provided on "a first surface". Moreover, claim 1 goes on to recite how the positioning member has "a ramp surface". Therefore, the positioning member having the ramp surface is provided on a first surface (of the chassis section). (See, e.g., claim 1, lines 8-10).

Applicants respectfully submit that claim 1 (and the abstract) is in fact definite for the reasons outlined above. Withdrawal of the rejection/objection is respectfully requested.

**III. REJECTION OF CLAIM 1 UNDER 35 USC §102(e)**

Claim 1 stands rejected under 35 USC §102(e) based on *Azai*. Applicants respectfully traverse this rejection for at least the following reasons.

Claim 1 defines a magnetic recording and reproduction apparatus including, among other things, a positioning member provided on a first surface of the chassis section, the positioning member having a ramp surface. A tape pull-out member includes a projection provided on a second surface. The tape pull-out member is urged by an urging section such that the projection presses the ramp surface at a first position. A force received by the projection from the ramp surface, by the projection pressing the ramp surface, acts on the projection in a direction from the ramp surface toward the first surface.

Application No.: 10/811,106

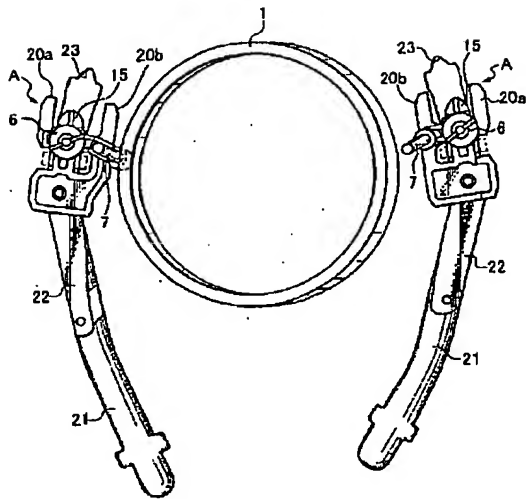


Fig. 4

*Azai*

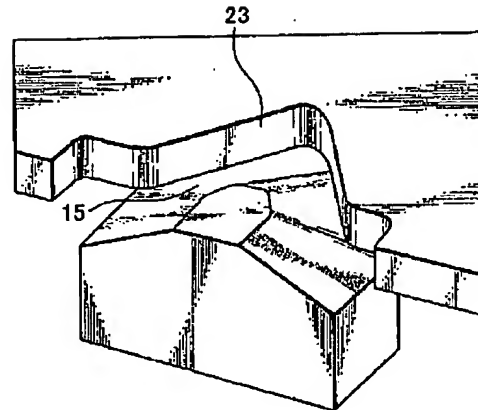


Fig. 6(b)

In rejecting claim 1, the Examiner submits that *Azai* discloses a tape pull out member 10 with a projection portion 15 that contacts a ramp 23. The Examiner argues that the resultant forces between the projection portion 15 and the ramp 23 includes a force acting in a direction from the ramp surface towards the projection.

Referring to Figs. 4 and 6(b) of *Azai* (reproduced above), for example, applicants note that element 23 represents a "V-shaped" terminal end of the guide slot 21. (See, e.g., paragraph [0028]). Stated another way, the terminal end 23 of the guide slot 21 in *Azai* merely represents the end of the guide slot 21 in what would be effectively the main chassis.

Contrary to the Examiner's assertions, the terminal end 23 does not represent any type of ramp. Although the terminal end 23 includes V-shaped sides, the V-shaped sides are in a plane perpendicular to the nose 15 (the nose 15 of a boat 6). Thus, the terminal end 23 does not serve as "a ramp surface" for the reason that there is no "ramping" function. By definition, a "ramp" produces a change in level or direction. In *Azai*, the V-shaped terminal end 23 does not serve as a ramp for the nose 15, but rather

Application No.: 10/811,106

serves as a stop. Any changes in level or direction are as a result of the nose 15 appearing to have some type of taper as shown in Figs. 6(a) and 6(b).

Accordingly, applicants respectfully submit that *Azai* does not teach a positioning member having a ramp surface as recited in claim 1. Applicants respectfully request withdrawal of the rejection.

#### IV. CONCLUSION

As a result, all claims 1-4 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

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Page 6 of 6